

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

KEITH K. BLISS,

Plaintiff,

v.

STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS, et al.,

Defendants.

Case No. C15-181-JLR-JPD

REPORT AND RECOMMENDATION

Plaintiff filed a proposed civil rights complaint in the above-entitled action on February 9, 2015. Dkt. 1-1. However, plaintiff did not pay the \$400 filing fee. Although plaintiff filed an application to proceed *in forma pauperis* (“IFP”), he did not use the correct form approved for use in this district. By letter dated February 9, 2015, the Court advised plaintiff that he must pay the filing fee or submit the Court’s new Declaration and Application to Proceed In Forma Pauperis and Written Consent for Payment of Costs form (“IFP application”) by no later than March 11, 2015, or else his action may be dismissed. Dkt. 3. Plaintiff was also mailed a blank copy of the Court’s IFP application. *See id.*

To date, however, plaintiff has failed to pay the applicable filing fee or submit an IFP application. Accordingly, the Court recommends that this 42 U.S.C. § 1983 action be DISMISSED without prejudice for failure to prosecute.

1 A proposed order accompanies this Report and Recommendation. The Clerk is  
2 directed to send copies of this Order to plaintiff and to the Honorable James P. Donohue.

3 Objections to this Report and Recommendation, if any, should be filed with the Clerk  
4 and served upon all parties to this suit by no later than **April 16, 2015**. Failure to file  
5 objections within the specified time may affect your right to appeal. Objections should be  
6 noted for consideration on the District Judge's motion calendar for the third Friday after they  
7 are filed. Responses to objections may be filed within **fourteen (14)** days after service of  
8 objections. If no timely objections are filed, the matter will be ready for consideration by the  
9 District Judge on **April 17, 2015**.

10 This Report and Recommendation is not an appealable order. Thus, a notice of appeal  
11 seeking review in the Court of Appeals for the Ninth Circuit should not be filed until the  
12 assigned District Judge acts on this Report and Recommendation.

13 DATED this 26th day of March, 2015.

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15 JAMES P. DONOHUE  
16 United States Magistrate Judge  
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